

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	CONSENT ORDER OF
or Suspension of the Educator)	VOLUNTARY SURRENDER
)	
Certificate of Costa P. Lempesis)	
)	
Certificate # 120208)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 13, 2004. On May 19, 2003, the South Carolina Department of Education (Department) sent Mr. Costa P. Lempesis a notice of his right to a due process hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate (certificate) number 120208 by certified mail, return receipt, restricted delivery, and regular mail. Mr. Lempesis received the notice as evidenced by a postal receipt bearing his signature and initially requested a hearing. A hearing was scheduled for March 17, 2004, before John J. Fantry, Jr., Esquire, a hearing officer appointed by the State Board. Prior to that date the Department offered Mr. Lempesis an alternative resolution in lieu of the hearing where the Department would seek the revocation of his certificate. Mr. Lempesis agreed to the voluntary surrender of his certificate. The agreement allows Mr. Lempesis the right to re-apply for a certificate no sooner than three years from July 1, 2003, the date his certificate expired. If he chooses to re-apply for a certificate, Mr. Lempesis must undergo a character fitness review by the State Board. This surrender will be reported to the NASDTEC Clearinghouse and all South Carolina school districts on the grounds of unprofessional conduct. After considering the evidence presented, the State Board voted to accept the voluntary surrender of Mr. Lempesis's certificate upon the terms set forth above.

Mr. Lempesis holds a South Carolina certificate with ten years of teaching experience credit. His certificate expired in July 2003. When he sought to renew his certificate in April 2003, the Office of Teacher Certification received information from several sources that on several occasions allegations of inappropriate conduct towards male students were made against Mr. Lempesis. In 1987, Mr. Lempesis resigned his teaching position in a Florida school district after he admitted he had inappropriately administered corporal punishment. In 1990, Mr. Lempesis was dismissed from the Aiken County School District for improperly administering corporal

Costa P. Lempesis # 120208
_____ Initials
_____ Date

punishment to male students and for touching them inappropriately. In March 1996, Mr. Lempesis was convicted of disturbing schools after he came onto the campus of Easley High School in Pickens County without permission and paddled a male student in the bathroom as a birthday present. On August 21, 2000, the Florida Professional Practices Commission revoked Mr. Lempesis's certificate for three years based on his failure to acknowledge the conviction in Pickens County on his application for renewal of his Florida certificate. On April 13, 2000, the New York Commissioner of Education issued to Mr. Lempesis a notice of hearing regarding the possible revocation of his New York teaching certificates based on allegations of inappropriate conduct with a minor that raised "a substantial question as to moral character." That action is pending.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (1990). Just cause includes "Unprofessional conduct." S.C. Code Ann. § 59-25-160 (1990). The State Board finds that the preponderance of the evidence presented supports its decision to accept the voluntary surrender of Mr. Lempesis's certificate # 120208, effective April 13, 2004, upon the conditions set forth above.

South Carolina State Board of Education

By: /S/ Mary E. Jones
Dr. Mary E. Jones
Chair

Columbia, South Carolina
April 13, 2004

I, Costa P. Lempesis, SC Teaching Certificate # 120208, do hereby agree to the proposed Consent Order of Voluntary Surrender, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, April 13, 2004, for approval.

/S/ Costa Lempesis
Costa P. Lempesis

March 15, 2004
Date